

30756. Adulteration of dried peaches. U. S. v. 1,400 Boxes of Dried Peaches. Default decree of condemnation and destruction. (F. & D. No. 45391. Sample No. 44295-D.)

This product had been shipped in interstate commerce by boat from San Francisco, Calif., to Newark, N. J., at which port it was damaged substantially as the result of a fire. When examined the boxes were thickly encrusted with dirty clay; some boxes were burned or charred; and the fruit was moldy, water-soaked, or filthy.

On May 23, 1939, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,400 boxes of dried peaches remaining unsold and in the original packages at Newark, N. J.; alleging that the article had been shipped on or about March 4, 1939, from San Francisco, Calif., by Cured Fruit Association of California; and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Asco Brand California Peaches."

Adulteration was alleged in that the article consisted in whole or in part of a filthy or decomposed vegetable substance.

On June 29, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30757. Adulteration of white beans. U. S. v. 178 Bags of White Beans. Default decree of condemnation and destruction. (F. & D. No. 45392. Sample No. 44296-D.)

This product had been shipped in interstate commerce by boat from San Francisco, Calif., to Newark, N. J., at which port it was damaged substantially as the result of a fire in the hold of the ship. When examined the bags were charred and encrusted with dirty clay, and the contents were filthy.

On May 23, 1939, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 178 bags of white beans remaining unsold in the original packages at Newark, N. J.; alleging that the article had been shipped on or about March 6, 1939, from San Francisco, Calif., by Lompoc Produce & Real Estate Co.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Ames Harris Neville Co. S. F."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy or decomposed vegetable substance.

On June 28, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30758. Adulteration of Cera-Lac. U. S. v. 141 Bags of Cera-Lac. Default decree of condemnation and destruction. (F. & D. No. 45393. Sample No. 44297-D.)

This product had been shipped in interstate commerce by boat from Los Angeles, Calif., to Newark, N. J., at which port it was damaged substantially as the result of fire in the hold of the ship. When examined the bags were charred and encrusted with dirty clay, and the contents were filthy.

On May 23, 1939, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 141 bags of Cera-Lac remaining unsold and in the original packages at Newark, N. J.; alleging that the article had been shipped on or about March 9, 1939, from Los Angeles, Calif., by the Cera-Lac Co.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy or decomposed vegetable substance.

On June 28, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30759. Misbranding of canned cherries. U. S. v. 100 Cases of Canned Cherries. Decree of condemnation. Product released under bond for relabeling. (F. & D. No. 44745. Sample No. 51196-D.)

This product was substandard because of the presence of excessive pits, and it was not labeled to indicate that it was substandard.

On January 31, 1939, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district